

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, February 11, 2020**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 11, 2020, at 6:00 P.M. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Scott Buckley

Councilmember Bill Regner
Councilmember Debbie Hunseder

Town Staff:

Town Manager Tracie Hlavinka
Utilities/Public Works Director Maher Hazine
Finance Director Kathy Cwiok
Police Chief Randy Taylor
Community Development Director Ruth Mayday
Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor Von Gausig's Report –

- 01/15/20 – Met with Town Staff to walk trail from Cliffrose to Kindra Heights and back
- 01/24/20 – Attended Verde Front Strategic Planning meeting
- 02/07/20 – Attended Executive Committee meeting at League of Arizona Cities

and Towns Office

- 02/11/20 – Phone conversation updating the League's action on HB 2705 (Abandoned Buildings)

Vice-Mayor Dehnert's Report –

- 01/27/20 – Attended NAMWAU meeting in Sedona
- 02/06/20 – Signed checks at Town Hall
- 02/11/20 – Attended Spectrum Board of Health meeting

Councilmember Regner's Report –

- 01/15/20 – Attended CHSM board meeting
- 01/17/20 – Attended Yavapai College dean candidate forum (new dean must reside in the Verde Valley)
- 01/22/20 – Attended TPAC meeting
- 01/24/20 – Met with Council candidate Marney Babbitt-Pierce
- 02/03/20 – Met with Mike Lindner, CHSM
- 02/04/20 – Met with CHSM membership and volunteer management team

Councilmember Buckley's Report –

- 02/04/20 – Attended Downtown Business Alliance meeting
- 02/11/20 – Attended DBA meeting

Councilmember Hunseder's Report –

- 01/22/20 – Toured Phoenix Cement Plant
- 01/24/20 – Attended CHSM Annual meeting
- 01/25/20 – Toured Verde Valley Humane Society
- 01/26/20 – Southwest Wine Center Blind Taste Event
- 01/31/20 – Met with VVREO Moonshot team
- 02/04/20 – Downtown Business Alliance meeting
- 02/07/20 – Attended First Friday 'In Their Own Words' at Clark Memorial Library

Town Manager Hlavinka's Report –

- 01/15/20 – Took trail walk with Mayor and Town Staff
- 01/16/20 – Attended Sustaining Flows Council Action Plan Workshop
- 01/17/20 – Attended GAMA meeting conference call
- 01/18/20 – Attended Masonic Lodge Fire Responder Dinner
- 01/21/20 – Met with Mayor and Freeport McMoRan for remediation update
- 01/23/20 – Attended webinar for Rural Broadband Grants
- 01/24/20 – Attended Verde Front Strategic Planning meeting; attended

Cottonwood Chamber Annual Dinner

- 01/25/20 – Took tour of Verde Valley Humane Society
- 01/29 to 30/20 – Attended ACMA Winter Conference
- 01/31/20 – Kick off with ASU Urban Design class
- 02/04/20 – Made presentation at Yavapai Title Realtors meeting; attended Clarkdale Downtown Business Alliance meeting
- 02/07/20 – Attended the VVREO Board meeting by conference call

Organizational Reports – Reports regarding regional organizations.

CAT – Cottonwood Area Transit (Councilmember Buckley)

- No report

VTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- No report

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- No report

NAMWUA - Northern Arizona Municipal Water Users Association. (Vice Mayor Dehnert)

- 1-27-20 NIA Water Proposal progress report; 20-21 budget; employment agreement (Ron Doba); bill to allocate funds to move forward Salt/Gila River adjudication and to be introduced soon

VVREO-LRSPC – Verde Valley Regional Economic Organization's Long Range Strategic Planning Committee (Councilmember Hunseder)

- No report

TPAC – Transportation Policy Advisory Council. (Councilmember Regner)

- 01/22/20 – Highway Trust Fund discussion; revenue collection in the state is strong; advocacy for increased fuel tax and adding an alt fuel annual fee; State will be divided into regions to address specific regional issues; report on mobility transit project

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held January 14, 2020, and Special Meeting held January 28, 2020.
- B. Claims** - List of specific expenditures made by the Town during the previous month. January, 2020 check log and PPE dated January 4, 6 and 18, 2020.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.
- Design Review minutes of meeting held January 8, 2020
Planning Commission Notice of Cancellation of meeting January 21, 2020
Parks and Recreation Commission minutes of meeting held January 8, 2020
- D. Resignation of Public Safety Personnel Retirement Local Board Member**
– Acceptance of resignation of Citizen Board member of PSPRS Local Board.
- F. Resolution Urging State Lawmakers to Address the Drastic Under-Investment Levels on the State Highway and Local Road Networks**
- Approval of Resolution #1620, a resolution of the Clarkdale Town Council, urging State lawmakers to address the drastic under-investment levels on the State highway and local road networks.

Councilmember Regner pulled item E.

Action: Approve Consent Agenda items A, B, C, D and F as presented.

Motion: Vice Mayor Dehnert

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

Without objection, Mayor Von Gausig reordered agenda to accommodate Visiting Presenter from auditing firm.

NEW BUSINESS ITEM: FISCAL YEAR 2018-2019 ANNUAL FINANCIAL STATEMENTS –
Presentation and consideration of approval of the Annual Financial Statements for the 2018-2019 fiscal year.

The annual audit and the auditor reports have been completed for Fiscal Year 2019. The Annual Financial Statements and Independent Auditors' Report summarizes all funds including General, Streets, Water, Wastewater, Sanitation, and Cemetery, and is presented on the basis of accounting prescribed by the Uniform Expenditure Reporting System (UERS), as required by the Arizona Revised Statutes, and in accordance with the voter-approved permanent base adjusted expenditure limitation. Included in the report is the Management's Discussion and Analysis which was written by Finance Director Kathy Cwiok and Accounting Supervisor Brittany Earles and provides an overview of the financial activities in comparison with the previous year activities and an introduction to the basic financial statements.

The Fund Balance/Net Position Components are located on pages 24 through 31. These pages detail the restricted, assigned and unassigned portions of fund balances in the Governmental Funds and Net Positions in the Proprietary Funds.

Included in the Notes to Financial Statements starting on page 47 are the Pensions and Other Postemployment Benefits Notes.

Finance Director Kathy Cwiok introduced this item to Council and auditor Scott Graf presented audit information to Council. Graf stated he was pleased with what he sees in spite of all the staff transitions.

Action: Approve the Annual Financial Statements and Independent Auditors' Report dated June 30, 2019 and Annual Expenditure Limitation Report and Independent Accounts' Report dated June 30, 2019.

Motion: Vice Mayor Dehnert

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

Council returned to Consent Agenda item E.

- E. Town of Clarkdale Work Plan and Guiding Principles –** Approval of the 2020 Work Plan and updated Guiding Principles developed from the Strategic Planning session.

Strategic Planning occurs to assist organizations with developing clear plans of action for future opportunities and strategies. The Town Council and staff conduct an annual

Strategic Plan Meeting to determine priorities, give updates of previous projects and gain consensus for future strategies. The Town Council, Town Manager, and staff met on November 5, 2019 to conduct this annual meeting. The Council reviewed the Town Vision Statement, Mission Statement and Guiding Principles and decided to amend the Guiding Principles to include "Capital Management" as a principle. During this same meeting, the Town Manager conducted a SWOT analysis to identify strengths, weakness, opportunities and threats. Several priorities were determined from the analysis, which then became goals for the staff and Town Council. The goals are as follows:

- Goal 1) Enhance the quality of life for Clarkdale residents
- Goal 2) Continue leadership roles in collaborative efforts in the region
- Goal 3) Recognize and preserve Clarkdale's history
- Goal 4) Maintain a quality workplace for employees
- Goal 5) Maintain transparency
- Goal 6) Enhance marketing, communication and economic development for Clarkdale

A document has been created to include objectives to each goal and action items. This document is the 2020 Town Council Work Plan. Staff will provide the Town Council with quarterly updates keeping them abreast of progress and providing transparency to citizens.

At the January 28, 2020 Council meeting, Council directed staff to change the wording on Goal 6 (H)(2) from 'inefficiencies' to 'adequacy'. This change is reflected on the attached updated Work Plan. Also included is the updated document "Guiding Principles".

Councilmember Regner stated that allocation of resources would be an on-going discussion.

Action: Approve the 2020 Work Plan and Guiding Principles.

Motion: Councilmember Regner

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NEW BUSINESS**COOPERATIVE AGREEMENT FOR THE TRIP HAZARD ELIMINATION SERVICES**

– Discussion and possible action regarding the award to Precision Concrete Cutting for trip hazard elimination services in the Clarkdale Downtown Business District.

Many of the sidewalks in the downtown area have shown signs of unevenness. This level of unevenness has increased over time. While some grinding of the area has occurred, the unevenness level continued to increase in magnitude (level of unevenness) and volume (number of areas).

In 2018, the Town Council authorized funding for the purchase of a "Sidewalk Sucker" which is a tool that allows staff to remove segments of the sidewalk and adjust the ground level below it and then return the sidewalk patch back in place. This was thought to be a cost effective and environmentally friendly method to repair the sidewalk without creating a large number of concrete chunks that would need to be hauled away to the dump. In the meantime, staff painted these uneven areas to warn pedestrians of the hazard.

Unfortunately, after further investigation into the cause of the sidewalk unevenness, it was determined that most of them were due to tree roots. The concern then was if staff used the sidewalk sucker, the only way to adjust the subgrade below the sidewalk included cutting roots from the adjacent trees. This could damage or kill the mature trees.

Staff began investigating other methods to deal with this matter including checking with adjacent agencies. One primary method was grinding the sidewalk down. Unfortunately, staff found that many of the contractors do not possess the equipment to grind the large volume of areas. One vendor was located that was willing to give a preliminary quote of \$39,000 which may increase based on the actual time that it might take. Staff felt there was no way to control the costs with this option. The search continued for other methods and found a company out of Provo, Utah that specializes in cutting concrete. That company revised their equipment to allow for near horizontal cutting. Due to their schedule, it took some time for them to come out to evaluate and provide the Town with an estimate. When they arrived, they measured each and every area and numbered them (this is included in the attached quote).

The proposal came in at \$14,865.00 to address the 526.4-feet of area that requires attention. Additionally, they found an additional area totaling 41.5 feet that requires repairs for an additional \$1699.50.

Public Works Director Maher Hazine provided information on this agenda item to Council. Hazine addressed questions regarding continuation of root growth stating that with water line leaks being fixed, the roots should not continue to grow enough to cause problems. This process should prevent damage caused to the trees along Main Street. Hazine stated

that the work is paid out of street funds. The company would start on about February 17th and the work would take about a week.

Action: Approve the trip hazard elimination services agreement and authorize the Public Works Director to finalize and execute this agreement with Precision Concrete Cutting for the amount not to exceed \$18,200 (includes 10% contingency).

Motion: Councilmember Regner

Second: Councilmember Buckley

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

COOPERATIVE AGREEMENT FOR PAVEMENT OVERLAY AND NECESSARY ROADWAY INFRASTRUCTURE – Discussion and possible action regarding the award of a contract to Cactus Asphalt for pavement related improvements on various roadways within the Town limits.

The Town of Clarkdale roadway network has been in need of improvement for an extended period of time. Unfortunately, the current level of funding has not been sufficient to meet the requirements. An appointed Citizen Committee evaluated funding options which resulted in a recommendation to the Town Council to pose a question for the voters on issuing a bond in the amount of \$6 million backed by a secondary property tax.

While many of the residents agreed that the Clarkdale roadway network was in dire need of repairs, the overwhelming majority of the registered voters (2/3) did not agree that a bond backed by a secondary property tax was the answer. Following the defeated proposition (Prop 445), the Town Council directed staff to establish a priority-based methodology to improve roadway condition within the available funding. Additionally, they directed staff to pursue other funding options such as grants.

Staff established a priority-based methodology for roadway improvement which is based primarily on traffic volume (highest volume roads get the highest priority). Within these higher priority roadways, those roads in the worst condition will place higher on the list. Ultimately any roadway in need of repair based on a hazardous condition will be included to resolve the hazard.

The three primary roads that staff recommended based on the Council approved priority-based methodology, were Main Street from the Broadway intersection to Cement Plant Road, Clarkdale Parkway, from 89A to Sunset, and Old Jerome Hwy., from 89A to Town limits. As part of these roadway improvements, restriping would occur to allow for the addition of bike lanes consistent with Council goal 1-C4 "*Develop bike lanes on existing roadways for better connectivity.*"

Additionally, the Town was able to secure a grant from Arizona Department of Transportation (ADOT) in the amount of \$562,041.00 for the overlay of Broadway from the intersection of Main Street and Broadway for approximately 0.75 miles to the end of the Rain Spirit RV Resort. The initial cost estimate we received for the Broadway overlay project was approximately \$1.4 million. We immediately started a value engineering effort related to this portion of the project and looked for favorable contracts that we can utilize.

Staff was successful in finding an existing contract that contains a Cooperative Agreement clause from Pinal County with Cactus Asphalt. We were also able to work with Cactus Asphalt and our consulting engineer to value engineer the plans to allow for reduction of approximately \$500,000 for a total cost of \$814,476.79. Using this Cooperative Agreement contract, the cost for the additional roadway work identified above will be an additional \$461,081.94.

Public Works Director Hazine presented information on this agenda item to Council. Hazine clarified costs and covered projects for Council and discussion followed regarding the effects of Freeport's heavy machinery on our roads. Freeport and the Town are working on an agreement that Freeport would pay for their use of Town roads over a period of time.

Action: Approve the award of a contract to Cactus Asphalt for pavement related improvements on various roadways within the Town limits and authorize the Public Works Director to finalize and execute this agreement with Cactus Asphalt in the amount not to exceed to \$1,403,114 (includes 10% contingency). This includes funding from the ADOT grant in the amount of \$562,041.00 (Total Town obligation not to exceed (\$841,073.00.))

Motion: Vice Mayor Dehnert

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK ADDING ARTICLE 8-7 UNIFORM VIDEO LICENSE AGREEMENT – Discussion and possible action regarding Resolution #1619, a resolution adding Article 8-7 Uniform Video License Agreement to the Town Code and declaring an emergency.

Senate Bill 1140 addressed video service license agreements and was passed on May 16, 2018. Relevant sections of the bill give local governments exclusive authority to issue uniform video services licenses to a person or persons to provide video service and to construct and operate video service networks in any service areas within its boundaries.

Currently the Town has a franchise agreement with Cable One, Inc. to provide these services. Cable One's agreement expires March 21, 2020 and the new law regulating the video service agreements replaces the older franchise agreements for video service providers.

Town staff adapted the form of Agreement, Affidavit and Application for Video Services Licensing provided by the Arizona League of Cities and Towns and now comes to the Council for formal adoption of the format for addition to the Town Code. After discussion and review, Town Attorney Stephen Polk drafted the resolution which would adopt by reference the ordinance codifying the addition to Chapter 8 of the Code. That ordinance follows in the next agenda item.

Town Clerk Mary Ellen Dunn presented information on this agenda item to Council.

Action: Approve Resolution #1619, a resolution declaring as a public record that certain document filed with the Town Clerk adding Article 8-7 "Uniform Video License Agreement" to Chapter 8 of the Town Code, and adopting a Uniform Video Service License Agreement and the standard form of Affidavit and Application and declaring an emergency.

Motion: Vice Mayor Dehnert

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "UNIFORM VIDEO SERVICE LICENSE AGREEMENT – Discussion and possible action regarding Ordinance #402, an ordinance adopting by reference Article 8-7 Uniform Video Service License Agreement to Chapter 8 of the Clarkdale Town Code and declaring an emergency.

During the February 11, 2020 Council meeting, the Council will first consider the adoption of Resolution #1619 that articulates the details of the Uniform Video License Agreement. If the Council supports the adoption of said agreement, then the adoption of this proposed ordinance would be the final step in the process to formally adopt the changes to the Town Code including Article 8-7 "Uniform Video Service License Agreement."

The emergency clause is authorized by Town Code, Section 2-5-4 for the "immediate preservation of the peace, health and safety of the Town. **The Town Code requires a ¾ majority vote of all members elected to the Council.**

Action: Adopt Ordinance #402, An Ordinance of the Town of Clarkdale, Arizona, making changes to the Town Code by adopting by reference and adding that certain document entitled Article 8-7 "Uniform Video Service License Agreement" to Chapter 8 of the Code and declaring an emergency.

Motion: Councilmember Regner

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

VERDE RIVER INSTITUTE REPORT - An update from the Verde River Institute on projects and issues that relate to the Verde River @ Clarkdale.

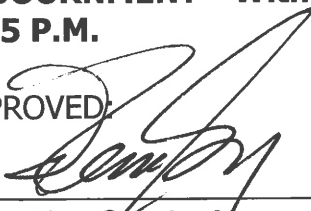
Pecks Lake has about the same amount of water it had prior to its decline. Town Manager Hlavinka and Mayor spoke with Freeport regarding upper Tapco at Brewer's Tunnel and Freeport seems agreeable to add those to our lease agreement.

Action: This is a monthly, or as-needed, report and no Council action is required.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.

ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting 8:05 P.M.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



Mary Ellen Dunn, Town Clerk**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 11th day of February, 2020. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 10th day of March, 2020.

SEAL



Mary Ellen Dunn, Town Clerk